

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SANTA ROSA DIVISION**

In re: BAILEY, CHARLES  
BAILEY, BARBARA

§ Case No. 05-11371

§

§

Debtor(s)

§

**CHAPTER 7 TRUSTEE'S FINAL ACCOUNT AND DISTRIBUTION  
REPORT CERTIFICATION THAT THE ESTATE HAS BEEN FULLY ADMINISTERED  
AND APPLICATION TO BE DISCHARGED (TDR)**

Jeffrey Locke, chapter 7 trustee, submits this Final Account,  
Certification that the Estate has been Fully Administered and Application to be Discharged.

1) All funds on hand have been distributed in accordance with the Trustee's Final Report and, if applicable, any order of the Court modifying the Final Report. The case is fully administered and all assets and funds which have come under the trustee's control in this case have been properly accounted for as provided by law. The trustee hereby requests to be discharged from further duties as a trustee.

2) A summary of assets abandoned, assets exempt, total distributions to claimants, claims discharged without payment, and expenses of administration is provided below:

Assets Abandoned: <u>\$86,820.00</u> <i>(without deducting any secured claims)</i>	Assets Exempt: <u>\$32,800.00</u>
Total Distribution to Claimants: <u>\$19,377.60</u>	Claims Discharged Without Payment: <u>\$131,986.82</u>
Total Expenses of Administration: <u>\$55,030.14</u>	

3) Total gross receipts of \$ 134,309.34 (see **Exhibit 1** ), minus funds paid to the debtor and third parties of \$ 59,901.60 (see **Exhibit 2** ), yielded net receipts of \$74,407.74 from the liquidation of the property of the estate, which was distributed as follows:

	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
SECURED CLAIMS (from <b>Exhibit 3</b> )	\$71,332.36	\$0.00	\$0.00	\$0.00
PRIORITY CLAIMS: CHAPTER 7 ADMIN. FEES AND CHARGES (from <b>Exhibit 4</b> )	0.00	55,030.14	55,030.14	55,030.14
PRIOR CHAPTER ADMIN. FEES AND CHARGES (from <b>Exhibit 5</b> )	0.00	0.00	0.00	0.00
PRIORITY UNSECURED CLAIMS (from <b>Exhibit 6</b> )	0.00	0.00	0.00	0.00
GENERAL UNSECURED CLAIMS (from <b>Exhibit 7</b> )	148,875.25	47,499.17	47,499.17	19,377.60
<b>TOTAL DISBURSEMENTS</b>	\$220,207.61	\$102,529.31	\$102,529.31	\$74,407.74

4) This case was originally filed under Chapter 7 on June 01, 2005.  
The case was pending for 115 months.

5) All estate bank statements, deposit slips, and canceled checks have been submitted to the United States Trustee.

6) An individual estate property record and report showing the final accounting of the assets of the estate is attached as **Exhibit 8**. The cash receipts and disbursements records for each estate bank account, showing the final accounting of the receipts and disbursements of estate funds is attached as **Exhibit 9**.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Dated: 01/09/2015 By: /s/Jeffrey Locke  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

**EXHIBITS TO  
FINAL ACCOUNT**

**EXHIBIT 1 –GROSS RECEIPTS**

DESCRIPTION	UNIFORM TRAN. CODE <sup>1</sup>	\$ AMOUNT RECEIVED
Land, 20 Acres Undeveloped parcel	1110-000	134,200.00
Property Tax Refund	1224-000	109.34
<b>TOTAL GROSS RECEIPTS</b>		<b>\$134,309.34</b>

<sup>1</sup>The Uniform Transaction Code is an accounting code assigned by the trustee for statistical reporting purposes.

**EXHIBIT 2 –FUNDS PAID TO DEBTOR & THIRD PARTIES**

PAYEE	DESCRIPTION	UNIFORM TRAN. CODE	\$ AMOUNT PAID
Aaron L. A. Weinberg	Refund of earnest money deposit after overbid	8500-002	4,200.00
Betty Lou Bailey	Payment of sales proceeds to co owner	8500-002	23,350.80
United States Bankruptcy Court	Ref # PER DOC 31 ORDER	8500-002	23,350.80
Charles and Barbara Bailey	Exemption	8100-002	9,000.00
<b>TOTAL FUNDS PAID TO DEBTOR AND THIRD PARTIES</b>			<b>\$59,901.60</b>

**EXHIBIT 3 –SECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6D)	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
NOTFILED	Bank of America	4210-000	71,332.36	N/A	N/A	0.00
<b>TOTAL SECURED CLAIMS</b>			<b>\$71,332.36</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

**EXHIBIT 4 –CHAPTER 7 ADMINISTRATIVE FEES and CHARGES**

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
Jeffry Locke	2100-000	N/A	6,970.39	6,970.39	6,970.39
Jeffry Locke	2200-000	N/A	79.94	79.94	79.94
LESS COMMISSIONS PAID AT CLOSING	3510-000	N/A	13,000.00	13,000.00	13,000.00
BACHECKI CROM & CO	3410-000	N/A	3,998.00	3,998.00	3,998.00
BACHECKI CROM & CO	3420-000	N/A	58.20	58.20	58.20
Greene Radovsky Maloney, Share & Hennigh LLP	3210-000	N/A	28,207.00	28,207.00	28,207.00
Greene Radovsky Maloney, Share & Hennigh LLP	3220-000	N/A	806.83	806.83	806.83
LESS CLOSING COSTS PAID FROM E	2500-000	N/A	355.33	355.33	355.33
CLERK OF THE COURT	2700-000	N/A	150.00	150.00	150.00
FRANCHISE TAX BOARD	2820-000	N/A	551.00	551.00	551.00
Postal Annex	2500-000	N/A	10.00	10.00	10.00
FRANCHISE TAX BOARD	2820-000	N/A	551.00	551.00	551.00
Rabobank, N.A.	2600-000	N/A	16.62	16.62	16.62
Rabobank, N.A.	2600-000	N/A	96.65	96.65	96.65
Rabobank, N.A.	2600-000	N/A	96.30	96.30	96.30
Rabobank, N.A.	2600-000	N/A	82.88	82.88	82.88
<b>TOTAL CHAPTER 7 ADMIN. FEES AND CHARGES</b>		N/A	\$55,030.14	\$55,030.14	\$55,030.14

**EXHIBIT 5 –PRIOR CHAPTER ADMINISTRATIVE FEES and CHARGES**

PAYEE	UNIFORM TRAN. CODE	CLAIMS SCHEDULED	CLAIMS ASSERTED	CLAIMS ALLOWED	CLAIMS PAID
None					
<b>TOTAL PRIOR CHAPTER ADMIN. FEES AND CHARGES</b>		N/A	\$0.00	\$0.00	\$0.00

**EXHIBIT 6 –PRIORITY UNSECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6E)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
None						
<b>TOTAL PRIORITY UNSECURED CLAIMS</b>			\$0.00	\$0.00	\$0.00	\$0.00

**EXHIBIT 7 –GENERAL UNSECURED CLAIMS**

CLAIM NO.	CLAIMANT	UNIFORM TRAN. CODE	CLAIMS SCHEDULED (from Form 6F)	CLAIMS ASSERTED (from Proofs of Claim)	CLAIMS ALLOWED	CLAIMS PAID
1	American Express Centurion Bank	7100-000	24,386.00	24,386.30	24,386.30	19,377.60
2	Portfolio Recovery Associates	7200-000	20,624.00	23,112.87	23,112.87	0.00
SB	Steven Bruhns	7100-000	N/A	N/A	0.00	0.00
NOTFILED	Chase	7100-000	7,932.00	N/A	N/A	0.00
NOTFILED	Bank of America	7100-000	11,229.00	N/A	N/A	0.00
NOTFILED	seals and tanembaum	7100-000	16,761.00	N/A	N/A	0.00
NOTFILED	unifund co	7100-000	34,314.00	N/A	N/A	0.00
NOTFILED	Chase	7100-000	16,739.00	N/A	N/A	0.00
NOTFILED	North American Collectors	7100-000	16,890.25	N/A	N/A	0.00
<b>TOTAL GENERAL UNSECURED CLAIMS</b>			\$148,875.25	\$47,499.17	\$47,499.17	\$19,377.60

# Form 1

## Individual Estate Property Record and Report

### Asset Cases

Case Number: 05-11371

Trustee: (007750) Jeffry Locke

Case Name: BAILEY, CHARLES  
BAILEY, BARBARA

Filed (f) or Converted (c): 06/01/05 (f)

§341(a) Meeting Date: 07/05/05

Period Ending: 01/09/15

Claims Bar Date: 10/24/05

1		2	3	4	5	6
Asset Description (Scheduled And Unscheduled (u) Property)		Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property <u>Abandoned</u> OA=\$554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #						
1	Land, 20 Acres Undeveloped parcel Upon investigation, trustee learned that mobile had been on property for several years and possible third party ownership. Property inherited. Listed at \$310k with Harmon Realty. Reduced to \$295k. Listed with Greenhouse realty, 150k.	16,000.00	171,000.00		134,200.00	FA
2	01. Cash on Hand	20.00	20.00		0.00	FA
3	02. Bank Accounts	750.00	0.00		0.00	FA
4	02. Bank Accounts	400.00	0.00		0.00	FA
5	02. Bank Accounts	2,500.00	0.00		0.00	FA
6	04. Household Goods	500.00	0.00		0.00	FA
7	06. Wearing Apparel	100.00	0.00		0.00	FA
8	07. Furs and Jewelry	500.00	0.00		0.00	FA
9	81 Golden West Mobile, residence	5,000.00	0.00		0.00	FA
10	99 Dodge Truck	5,000.00	0.00		0.00	FA
11	00 Cadillac	9,000.00	0.00		0.00	FA
12	01 Tropical Motor home, reoped.	63,000.00	0.00		0.00	FA
13	33. All Other Personal Property, tools	50.00	0.00		0.00	FA
14	Property Tax Refund (u)	0.00	109.34		109.34	FA
14	Assets Totals (Excluding unknown values)	\$102,820.00	\$171,129.34		\$134,309.34	\$0.00

**Major Activities Affecting Case Closing:**

Trustee filed AP to sell free and clear of co owners interest.

Default entered for Peterson 1-24-06

03-20-06 Stip with Betty Bailey to sell free and clear of her interest but preserve life estate. Concluded that estate holds 3/5ths interest. Betty asking \$250k for interest per potential buyer.

07-30-07 listing price reduced to \$295k.

09-25-07 follow up with agent re activity.

11-15-07 Offer received but contingent of sale of another property. Agent discussing possibilities.

04-17-08 Price reduced to \$219k

05-01-09 confirmed that Tom Harmon the listing agent has moved and abandoned the listing.

06-01-09 Discussions with another agent, Phil Smoley, CPS Country Air re listing.

# Form 1

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BAILEY, BARBARA

Filed (f) or Converted (c): 06/01/05 (f)

§341(a) Meeting Date: 07/05/05

Period Ending: 01/09/15

Claims Bar Date: 10/24/05

1	2	3	4	5	6
Asset Description (Scheduled And Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property <u>Abandoned</u> OA=\$554(a)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #					

03-06-12 Discussions with counsel for co owner re sale.

02-04-13 follow up with area agents re last sale activity.

07-22-13 Call with counsel re case closing and preserving asset upon case closing.

07-22-13 Additional information sent to agent re possible listing or sale due to renewed interest in Lake Co. land. Sharon Bassham, Greenhouse Realty, Clearlake.  
Ilisted \$150k Greenhouse.

12-18-13 Marketing update: Since Aug.1, 2013 There have been 6 showings by other Brokerages. Agent personally has shown the property 3 times.

There have been approx. 20-25 random calls from either the internet or from the Greenhouse Signs on the property. Per agent Life Estate is a major hurdle. Agent has met on two occasions with the current residents.

12-31-13 Listing extended to 3-31-14.

03-31-14 Trustee expected to notice sale once buyer completes seller carry back loan application. Trustee in negotiations to sell carry back note.

04-28-14 Overbid, all cash, received. Trustee to conduct overbid on 4-30-14.

05-29-14 Closing statement and tax basis information sent to accountant for final tax return. Distributions to co owners and debtor exemption made.

06-03-14 Counsel's estimated fees \$28k. Upon final tax return, trustee to prepare final report.

07-15-14 Counsel's fee application filed and posted to claims. Final tax return signed. Payments to Franchise Tax Board due with each return.

07-29-14 FTB checks remain outstanding. Awaiting accountant's final fee application, upon receipt, trustee to submit Trustee Final Report to UST.

09-03-14 Follow up with accountant re final fee application.

Initial Projected Date Of Final Report (TFR): August 15, 2007

Current Projected Date Of Final Report (TFR): September 8, 2014 (Actual)

## Form 2

### Cash Receipts And Disbursements Record

Case Number: 05-11371

Case Name: BAILEY, CHARLES  
BAILEY, BARBARA

Taxpayer ID #: \*\*-\*\*\*5091

Period Ending: 01/09/15

Trustee: Jeffrey Locke (007750)

Bank Name: Rabobank, N.A.

Account: \*\*\*\*\*1566 - Checking Account

Blanket Bond: \$5,000,000.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
03/20/14	{1}	Fidelity National Title	Deposit, earnest money	1110-000	4,200.00		4,200.00
03/31/14		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	4,190.00
04/30/14		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		10.00	4,180.00
05/19/14		Rabobank, N.A.	Bank and Technology Services Fee Adjustment	2600-000		-20.00	4,200.00
05/28/14	101	Aaron L. A. Weinberg	Refund of earnest money deposit after overbid	8500-002		4,200.00	0.00

<b>ACCOUNT TOTALS</b>	<b>4,200.00</b>	<b>4,200.00</b>	<b>\$0.00</b>
Less: Bank Transfers	0.00	0.00	
<b>Subtotal</b>	<b>4,200.00</b>	<b>4,200.00</b>	
Less: Payments to Debtors		0.00	
<b>NET Receipts / Disbursements</b>	<b>\$4,200.00</b>	<b>\$4,200.00</b>	



# Form 2

## Cash Receipts And Disbursements Record

Case Number: 05-11371

Case Name: BAILEY, CHARLES  
BAILEY, BARBARA

Taxpayer ID #: \*\*-\*\*\*5091

Period Ending: 01/09/15

Trustee: Jeffry Locke (007750)

Bank Name: Rabobank, N.A.

Account: \*\*\*\*\*1567 - Checking Account

Blanket Bond: \$5,000,000.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
05/01/14	{1}	San Francisco Federal Credit Union	Deposit, earnest money deposit	1110-000	4,200.00		4,200.00
05/20/14	101	Postal Annex	Notary Fee Trustee's Deed	2500-000		10.00	4,190.00
05/21/14		Fidelity National Title	Sales proceeds		112,554.01		116,744.01
	{1}	Sales Price	Sales price less released deposit 125,800.00	1110-000			116,744.01
		LESS COMMISSIONS PAID AT CLOSING	Less Commissions -13,000.00	3510-000			116,744.01
	{14}	Property Tax refund	Property tax refund 109.34	1224-000			116,744.01
		LESS CLOSING COSTS PAID FROM E	Less Closing Costs -355.33	2500-000			116,744.01
05/29/14	102	Betty Lou Bailey	Payment of sales proceeds to co owner	8500-002		23,350.80	93,393.21
05/29/14	103	United States Bankruptcy Court	Ref # PER DOC 31 ORDER	8500-002		23,350.80	70,042.41
05/29/14	104	Charles and Barbara Bailey	Exemption	8100-002		9,000.00	61,042.41
05/30/14		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		16.62	61,025.79
06/30/14		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		96.65	60,929.14
07/08/14	105	FRANCHISE TAX BOARD	Ref # 30-6415091 2014 FORM 541	2820-000		551.00	60,378.14
07/08/14	106	FRANCHISE TAX BOARD	Ref # 47-6288255 2014 FORM 541	2820-000		551.00	59,827.14
07/29/14	107	CLERK OF THE COURT	Ref # AP V BAILEY 05-01095	2700-000		150.00	59,677.14
07/31/14		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		96.30	59,580.84
08/29/14		Rabobank, N.A.	Bank and Technology Services Fee	2600-000		82.88	59,497.96
11/25/14	108	American Express Centurion Bank	Final Distribution. Your Claim# 1; Filed: \$24,386.30; Reference: XXXXXXXXXX2006.	7100-000		19,377.60	40,120.36
11/25/14	109	Jeffry Locke	COMBINED CHECK FOR TRUSTEE COMPENSATION, EXPENSES AND INTEREST			7,050.33	33,070.03
			Dividend paid 100.00% on \$6,970.39; Claim# ; Filed: \$6,970.39 6,970.39	2100-000			33,070.03
			Dividend paid 100.00% on \$79.94; Claim# ; Filed: \$79.94 79.94	2200-000			33,070.03
11/25/14	110	BACHECKI CROM & CO	Combined Check for Claims#BCC,BCE			4,056.20	29,013.83
			Dividend paid 100.00% on \$3,998.00; Claim# BCC; Filed: \$3,998.00 3,998.00	3410-000			29,013.83
			Dividend paid 100.00% on \$58.20; Claim# BCE; Filed: \$58.20 58.20	3420-000			29,013.83

Subtotals : \$116,754.01 \$87,740.18

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Case Number: 05-11371

Case Name: BAILEY, CHARLES

BAILEY, BARBARA

Taxpayer ID #: \*\*-\*\*\*5091

Period Ending: 01/09/15

Trustee: Jeffry Locke (007750)

Bank Name: Rabobank, N.A.

Account: \*\*\*\*\*1567 - Checking Account

Blanket Bond: \$5,000,000.00 (per case limit)

Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Checking Account Balance
11/25/14	111	Greene Radovsky Maloney, Share & Hennigh LLP	Combined Check for Claims#ETC,ETE			29,013.83	0.00
			Dividend paid 100.00% on \$28,207.00; Claim# ETC; Filed: \$28,207.00	3210-000			0.00
			Dividend paid 100.00% on \$806.83; Claim# ETE; Filed: \$806.83	3220-000			0.00

ACCOUNT TOTALS	116,754.01	116,754.01	\$0.00
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Less: Bank Transfers	0.00	0.00
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Subtotal	116,754.01	116,754.01
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Less: Payments to Debtors		9,000.00
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NET Receipts / Disbursements	\$116,754.01	\$107,754.01
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TOTAL - ALL ACCOUNTS	Net Receipts	Net Disbursements	Account Balances
Checking # *****1566	4,200.00	4,200.00	0.00
Checking # *****1567	116,754.01	107,754.01	0.00
	\$120,954.01	\$111,954.01	\$0.00